

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

**UNITED STATES OF AMERICA,**

*Plaintiff,*

**v.**

**ERICKSON CLAY WARD,**

*Defendant.*

**Case No. CR-18-067-RAW**

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**AMENDED PRELIMINARY**  
**ORDER OF FORFEITURE FOR SUBSTITUTE ASSET**

Before the Court is the Amended Motion of the United States for a Preliminary Order of Forfeiture for Substitute Asset, filed July 22, 2020. The Court having reviewed said Motion FINDS:

THAT on September 17, 2018, the United States and Defendant Ward entered into Plea Agreement, which provides a factual basis and cause to issue a forfeiture order under 18 U.S.C. § 924(d)(1), 28 U.S.C. § 2461(c), 21 U.S.C. § 853, and Rule 32.2(b) of the Federal Rules of Criminal Procedure;

THAT an Agreed Order of Forfeiture was entered on February 13, 2019, which included an order of forfeiture in the form of a forfeiture money judgment against Defendant Ward, totaling \$10,000.00, which represents the proceeds obtained by the defendant;

THAT on January 21, 2020, a Preliminary Order of Forfeiture of Substitute Assets was entered by the Court finding \$7,700.00 in United States currency should be forfeited as a substitute asset;

THAT on July 7, 2020, it was determined that, due to a counting error, the amount of United States currency in the custody of the Pittsburg County Sheriff's Department is actually \$7,730.00.

THAT one or more of the factors articulated in 21 U.S.C. § 853(p) has been established and exist to establish forfeiture of a substitute asset;

THAT the substitute asset, identified as \$7,730.00 in U.S. currency currently in the custody of the Bureau of Alcohol, Tobacco, Firearms and Explosives, in which Defendant Ward has an interest is to be forfeited and applied to defendant's forfeiture money judgment totaling \$10,000.00;

THAT the United States does not seek to forfeit more than the \$10,000.00 money judgment;

NOW, THEREFORE, IT IS ORDERED, DECREED, AND ADJUDGED that for good cause show, the United States' motion is GRANTED. It is Further Ordered:

THAT pursuant to the provisions of 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461, and Rule 32.2(e)(1)(B), Defendant Ward's interest in the substitute asset, identified above, is hereby forfeited to the United States for disposition according to law;

THAT the Court retains jurisdiction pursuant to Rule 32.2(e)(1) of the Federal Rules of Criminal Procedure to enter any further orders necessary for the forfeiture and disposition of the referenced substitute asset, and to entertain any third party claims that may be asserted in these proceedings.

IT IS FURTHER ORDERED that the United States shall initiate proceedings necessary to protect third-party interests, if any, pursuant to and in accordance with Rule 32.2.

**Dated this 22nd day of July, 2020.**



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RONALD A. WHITE  
UNITED STATES DISTRICT JUDGE